

FHWA/FTA CLARIFYING GUIDANCE ON IMPLEMENTATION OF SAFETEA-LU PLANNING PROVISIONS

Since the issuance of the *FHWA/FTA Interim Guidance on Implementation of SAFETEA-LU Planning Provisions* on September 2, 2005, a number of questions have been posed by FHWA Division Offices, FTA Regional Offices, State DOTs, public transportation operators, and MPOs on the period between August 10, 2005 (SAFETEA-LU enactment date) and July 1, 2007 (the SAFETEA-LU requirement for full implementation of the planning provisions). The following provides clarified information for addressing this transition.

BEFORE JULY 1, 2007:

Metropolitan and statewide transportation plans, transportation improvement programs (TIPs), and statewide transportation improvement programs (STIPs) may be completed under TEA-21 requirements. For metropolitan transportation plans, TIPs, and STIPs that are developed under this scenario, the FHWA/FTA action (i.e., conformity determinations and STIP approvals) must be completed no later than June 30, 2007. For metropolitan transportation plans in attainment areas that are developed under this scenario, the MPO adoption action must be completed no later than June 30, 2007. If the applicable actions are not taken before July 1, 2007, all SAFETEA-LU provisions would apply, regardless of when the transportation plan and/or program were developed.

ON AND AFTER JULY 1, 2007:

State and MPO adoption actions on transportation plans, TIPs, and STIPs (i.e., amendments, revisions, or updates) must completely reflect all SAFETEA-LU planning provisions prior to the FHWA/FTA action. Because projects included in TIPs and STIPs are drawn from transportation plans, the underlying planning processes involved in preparing the transportation plan, TIP, and STIP must be consistent. Therefore, projects contained in TIPs and STIPs approved after July 1, 2007 must be consistent with transportation plans based on SAFETEA-LU requirements.

EARLY TRANSITION FROM TEA-21 TO SAFETEA-LU:

MPOs in nonattainment and maintenance areas may take advantage of the four-year SAFETEA-LU update cycles for transportation plans immediately. Therefore, the next transportation plan update (and FHWA/FTA conformity determination) must be completed within four years of the date of the FHWA/FTA conformity determination on the current transportation plan. However, the resulting transportation plan must reflect all SAFETEA-LU planning provisions at the time of the FHWA/FTA conformity determination (before or after July 1, 2007).

NEXT STEPS:

Well in advance of July 1, 2007, FHWA Division Offices and FTA Regional Offices should work closely with the States, MPOs, and public transportation operators to cooperatively assess their existing transportation planning processes and mechanisms relative to the SAFETEA-LU provisions and define key process and/or product “gaps” to be addressed. Moreover, above and beyond the update cycles for metropolitan transportation plans, States and MPOs should begin

reviewing and assessing their processes and update cycles for TIPs and STIPs, since projects reflected in the TIP and STIP must be consistent with the respective transportation plans.

FURTHER QUESTIONS:

If you have any further questions on this clarifying information, please contact:

FHWA:

John Humeston or Harlan Miller, Office of Planning (transportation planning issues).
Emily Tait or Gary Jensen, Office of Natural and Human Environment (transportation conformity issues).

FTA:

Charlie Goodman or Carolyn Mulvihill, Office of Systems Planning (transportation planning issues).
Abbe Marner, Office of Environment (transportation conformity issues).